



# The ECF ProFiler

Issue 3  
Fall/Winter 2005  
(Revised)

## Special points of interest:

- ProFiler Tips and Tricks
- Upcoming Events
- ProFiler Puzzle

## Happy Anniversary ECF!

On September 3, 2005, the United States Bankruptcy Court for the Northern District of Indiana, celebrated its third year anniversary since the implementation of CM/ECF (Case Management/Electronic Case Filing). Although it's been three years since this district introduced electronic filing, this method of filing has been around for more than 10 years. To mark the tenth anniversary of CM/ECF, let's take a look at its history and success.



November 1, 2005, marked the 10<sup>th</sup> year anniversary for what has been called the largest project ever undertaken by the federal judiciary, electronic case filing. Ten years ago, the Administrative Office of the U.S. Courts, through the efforts of a small AO team working with the Northern District of Ohio, delivered the judiciary's first Internet electronic filing system. This system provided electronic access to the Ohio court for attorneys around the country who were involved in a large group of paper-intensive maritime asbestos cases. It enabled them to electronically file and retrieve documents, and receive official notices via the Internet. The system was a major time-saver for the court, and was very popular with the bar. By 2000, based on the success of several pilot courts, a national rollout to all bankruptcy and district courts began. This being a major undertaking, a 10-month implementation strategy plan was created and with strong support from our judicial officers, a select

group of practitioners and the AO, ECF was underway. Every member of our court was involved in some way to launch CM/ECF and through team effort and the hard work of everyone involved, the Northern District of Indiana successfully achieved their goal of going live on the target date, September 3, 2002.

As of this month, there are ninety-one bankruptcy courts and eighty-four district courts "live" on CM/ECF. The Appellate Court version of CM/ECF is now being tested in the courts and is expected to be released in 2006. To date, 400,000 attorneys have registered and been trained nationally to use CM/ECF. In the

Northern District of Indiana nearly 1,000 bankruptcy attorneys are registered ECF users. In August there were 4.6 million docket entries made in CM/ECF and 1.6 million were entered by attorneys. There were 152,000 new bankruptcy cases opened and 125,000 of those cases were opened by attorneys in CM/ECF. Because of the Bankruptcy Reform Act, bankruptcy filings in September and October were dramatically higher than usual. Without CM/ECF, full implementation of the Act on October 17 would have been extraordinarily difficult. The benefits from CM/ECF have been many. Attorneys around the country have voiced strong praises for the system, noting that the filing system is easy to use, reduces their expenses, and provides quick notice of actions in their cases.

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## Congratulations CM/ECF on your tenth anniversary!

By Michael Stewart, ECF Manager



## Educational Requirements Impact Debtors/Counsel



Financial  
Management Part  
of New Act!

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) contains several new requirements that will have particular impact on debtors and debtors' counsel. This article discusses debtor education in connection with two matters, filing eligibility and eligibility for a discharge.

BAPCPA imposes two separate and very distinct educational requirements on debtors. The first is credit counseling. This will affect the debtor's ability to seek bankruptcy relief. The second is financial management. This will affect the debtor's ability to obtain bankruptcy relief, *i.e.*, a discharge.

Since the October 17, 2005, effective date of the BAPCPA, to be eligible to commence a bankruptcy proceeding, section 109(h)(1) requires all individual debtors under any chapter to have received credit counseling from an approved non-profit agency within the 180 days preceding filing. The United States Trustee Program (USTP) is charged with the responsibility to approve such agencies. A listing of approved credit counseling agencies may be found on the USTP Web site at [http://www.usdoj.gov/ust/bapcpa/ccde/cc\\_approved.htm](http://www.usdoj.gov/ust/bapcpa/ccde/cc_approved.htm). Interim Rule 1007(b)(3) requires that the debtor file documentation certifying the debtor has obtained this counseling. This certificate must be filed

along with the petition. Interim Rule 1007(c). Further, the Interim Rule 1007(b)(3) also requires the debtor to file any repayment plan that resulted from the counseling session.

To be eligible to receive a discharge in chapter 7 or chapter 13 cases, section 727(a)(11) and section 1328(g) call for debtors to have completed a personal financial management course. The personal financial management course must be from a provider approved by the USTP. A listing of approved personal financial management instruction courses may be found on the USTP Web site at: [http://www.usdoj.gov/ust/bapcpa/ccde/de\\_approved.htm](http://www.usdoj.gov/ust/bapcpa/ccde/de_approved.htm). This course must be completed after the case is filed. Interim Rule 1007(b)(7). A certification of completion, on Official Form 23, must be filed with the court within 45 days after the first date set for the section 341 meeting for a chapter 7 case, and no later than the date of the last payment by the debtor to the trustee in chapter 13 cases. Interim Rule 1007(c). The failure to file this certification in chapter 7 and 13 cases will result in the case being closed without the benefit of a discharge. Interim Rule 4004(c)(1)(H).

To best serve the interests of their debtor and creditor clients, counsel should make note of these changes.

## Fort Wayne Welcomes New Trustee: Dustin Roach

The Northern District of Indiana would like to welcome its newest chapter 7 case trustee: Dustin Roach.

Mr. Roach has been practicing law for 20 years.

He attended the University of Notre Dame where he received his undergraduate degree, and Indiana University to earn his J.D.

# Location! Location! Location!

They say in real estate that location is everything. This saying goes for trying to find a place while you are driving. All of our offices get many calls to ask where we are located. For court customers' convenience, check out our internet site, [www.innb.uscourts.gov](http://www.innb.uscourts.gov) and click on *Offices*, where you will find a map to all of the courthouse locations and parking information or click one of the links below.

Ft. Wayne: <http://www.innb.uscourts.gov/fwdivision.htm>

Hammond: <http://www.innb.uscourts.gov/hgdivision.htm>

Hammond Division at Lafayette: <http://www.innb.uscourts.gov/lafdivision.htm>

South Bend: <http://www.innb.uscourts.gov/sbdivision.htm>



Directions are  
a click away!

## Proper Procedures

### Amended Schedules

[\(Click for link to Attorney ECF Application Guide\)](#)

### Notice of Amendment

[\(Click for link to Attorney ECF Application Guide\)](#)

Amendments to schedules may be filed using the doctype *Amended Schedules (Fee)* in the "Other" category and should be filed before the Notice of Amendment. Filing the notice of amendment after the amended schedules allows for proper linkage to the amendment. The filing fee is not due if the amendment changes the address of a listed creditor, changes the address of a

listed attorney for creditor, or adds the name and address of an attorney for a listed creditor. If the amendment does not require a filing fee, enter "N/A" in the receipt # field. No other documents should be included in the PDF for either of these filings. Amendments by interlineation are not permitted.



Amended Schedules

Notice of Amendment

Notice of Voluntary  
Conversion

### Notice of Voluntary Conversion

[\(Click for link to Attorney ECF Application Guide\)](#)

A Chapter 13 debtor's Notice of Voluntary Conversion from Chapter 13 to Chapter 7 is filed by using the doctype *Notice of Voluntary Conversion to Chapter 7* in the "Notices" category. The doctype *Convert Case to 7* in the "Motions/Applications" category should not be used for filing this

notice. As a reminder, when the Convert Case statistical screen displays, change the Chapter to "7," the asset notice to "No" and enter the current date in the "Date Convert" field.





## Autographs Gone AWOL



Let's face it. It's a paper world. Eliminating paper in business certainly is a desirable goal. But, unfortunately, it's not currently realistic, since paper plays important psychological, aesthetic and legal functions in today's business world. At some point, you may find it useful, or even necessary, to print off a paper copy of a particular document from the ECF system. What can you

do when John Hancock becomes Houdini? Your documents are printed and the signature block has mysteriously vanished. This particular secret lies in your print options. Selecting the following options, depending on your version of Acrobat, should ensure you are presented with the entire document:

Acrobat 5 - File > Print > Under the "Print Range" section, check "Comments"

Acrobat 6 - File > Print > Under the "Print What" section, select "Document and Comments"

Acrobat 7 - File > Print > Under the "Comment and Forms" section, select "Document and Markups"

## Welcome to Robert Davidson, Law Clerk to Judge Klingeberger

The Bankruptcy Court of the Northern District of Indiana would like to congratulate and welcome Attorney Robert Davidson as Law Clerk to the Honorable Judge J. Philip Klingeberger. Mr. Davidson is a graduate of Valparaiso University and has been practicing law since 2000, specializing in litigation, bankruptcy and commercial law.

When asked what has changed in his perceptions of the Court after having been employed here for one month, he commented that the work load is much greater than he initially thought it would be. He also responded how impressed he was with the work ethic and dedication of the staff.

Just a helpful tip!!!!!!

## Tips and Tricks... *Save Time & Money*



Have you ever wondered who you need to serve when filing a motion, objection, etc.? ECF allows you to retrieve a list of all parties in a particular case to determine if they are electronically registered, or if you are required to serve a paper copy. To get this information, all you need to do is go into the "Utilities" menu and then go into the "mailings" category. From your mailings

options you will need to select **Mailing Information for a Case**. After putting in the case number, a receipt with mailing information will appear. This will allow you to determine who was served electronically and who you are required to serve by U.S. mail.



### ProFiler Puzzle

### Summer ProFiler Answer Key

Easy to use opinion search is now on our website

United States Bankruptcy Court Northern District of Indiana

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### What's New?

#### Puzzle 1

F B I R N A E R N C I A L M A  
 N A A G E E M D E E N T C L A  
 S N S I S T S A U Q A N E W P  
 R K E E R E P E Q C U B U I S  
 I R T L V E P A R I A I U O R  
 T U O E E D I S H C H T R S A  
 R P N G E V A P H C N A I E E  
 D T I U J Y E R V G M R E O S  
 J C P R E V E N T I O N U B N  
 F Y Z B G G M G V A U O J M N  
 I I Q W A N V E Q K E L E Z F  
 J R U W I A S R O T B E D D U  
 X P S P L L D S Y N H I H K H  
 M L B E S J U Q N R V Y O W R  
 K Q T A P H Z X N L C V E L N

ABUSE  
 BANKRUPTCY  
 CHAPTER  
 DEBTORS  
 EDUCATION  
 ELEVEN  
 PREVENTION  
 REQUIRES  
 SEVEN

Puzzle 2 (Clues in Educational Requirements article, page 2)

F\_ \_ \_ \_ \_ m \_ \_ \_ \_ \_ is a n \_ \_  
 p\_ \_ r \_ \_ u \_ \_ I \_ \_ prior to \_ \_ \_ C\_ \_ \_ \_ \_.



#### ProFiler

A newsletter for  
the ECF filer.

### Upcoming Events

#### ECF Attorney Training

- Hammond: May 1, 2006
- Ft. Wayne: March 6, 2006
- Lafayette: April 6, 2006
- South Bend: June 2, 2006

Please visit our website for available training dates at: <http://www.innb.uscourts.gov/ecfattytrain.htm>

**Contact for comments**  
**[ecfprofiler@innb.uscourts.gov](mailto:ecfprofiler@innb.uscourts.gov)**